



**Indiana Department of
Environmental Management
Brownfields Program**



Comfort Letter & Site Status Letter Request

The Brownfields Program developed Comfort and Site Status Letters as tools to assist stakeholders in qualifying the risk of environmental liability at brownfield sites. View the IDEM Brownfields Program Comfort and Site Status Letters Policy at: www.IN.gov/idem/land/brownfields/pdf/guidance/comfortsiteltrs.pdf

A brownfield site is defined as a parcel of real estate that is abandoned or inactive; or may not be operated at its appropriate use; and on which expansion, redevelopment, or reuse is complicated because of the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment.

While IDEM will attempt to satisfy requests for Comfort and Site Status Letters, the decision to issue one of these letters is within IDEM's discretion based on the facts and data presented. A decision on whether or not a letter will be issued will be made approximately 45–60 days from receipt of the request. The complexity of technical issues may increase IDEM's review time.

1. Type of Letter Requested (Please check one) ☐ Comfort Letter ☐ Site Status Letter

Comfort Letter: A Comfort Letter is issued to a specific party that is relieved of liability under statute or existing IDEM policy. The Comfort Letter clarifies why the party is not liable. These liability exemptions include:

- the Stakeholder is a government entity exempted from liability under IC 13-25-4-8(e) or IC 13-11-2-151(b);
- the Stakeholder is a creditor, lender, or fiduciary exempted from liability under IC 13-23-13-14, IC 13-24-1-10, IC 13-25-4-8(c), or IC 13-25-4-8.2;
- the Stakeholder is not the statutory owner of an underground storage tank pursuant to IC 13-11-2-150(a)(2), because the tanks were not used after November 8, 1984 and the Stakeholder was not the person who owned the tank immediately before the discontinuation of the tank's use; and
- the Stakeholder satisfies the conditions of the IDEM "Property Containing Contaminated Aquifers" nonrule policy document (OER-0008-NPD, 20 IR 1674 (March 1, 1997)), or the IDEM "Property Containing Contaminated Aquifers/Underground Storage Tanks" nonrule policy document (WASTE-0038-NPD, 23 IR 2141 (May 1, 2000)).

Site Status Letter: A Site Status Letter is issued to a party that may still be liable for contamination. The Site Status Letter states that based on a technical analysis of information submitted to IDEM, IDEM will not require further action at the brownfield site.

2. Intended Recipient of the Letter

- a. Name: _____
- b. Position/Title: _____
- c. Affiliation/Organization: _____
- d. Address: _____
- e. City/State/Zip: _____
- f. County: _____
- g. Phone Number: _____
- h. Fax Number: _____
- i. E-mail Address: _____

If there is an attorney, environmental consultant, or other representative who should be contacted (instead of the person identified at left) to discuss any technical issues about the site, then please indicate below.

- a. Name: _____
- b. Position/Title: _____
- c. Affiliation/Organization: _____
- d. Address: _____
- e. City/State/Zip: _____
- f. County: _____
- g. Phone Number: _____
- h. Fax Number: _____
- i. E-mail Address: _____

continued on next page

3. Site Informationa. Site Name *(List all current and former names known):*

b. Site Location Address *(Indicate lat. and long. if known):*

c. City/State/Zip:

d. County:

e. Size of Site in Acres:

f. IDEM/U.S.EPA Site #s:

g. Current Site Owner:

h. Address:

i. City/State/Zip:

j. Phone Number:

k. Current Status of Site *(Check all that apply):*☐ Privately Owned☐ Bankrupt☐ Abandoned☐ Underutilized☐ Publicly owned☐ Tax delinquent☐ Inactive☐ Deeded to local unit of governmentl. Did the current owner/operator cause or contribute to existing contamination at the site? ☐ Yes ☐ No ☐ Unknown**4. Other Information**a. The following information is being submitted to IDEM with this request form *(Please submit 4 copies of each or reference any documents that are already in IDEM public files):*☐ Phase I Environmental Site Assessment(s)☐ Phase II Environmental Site Assessment(s)☐ Other

☐ IDEM Brownfield Environmental Assessment☐ Sampling Results

b. The site will be:

☐ Sold☐ Used by governmental entity☐ Gifted☐ Leased☐ Other

c. Please indicate the intended use or potential use(s) under consideration for the redevelopment of the site, if any:

d. Community/public participation in the project involved the following *(Please attach supporting documentation):*☐ Community notification by newspaper, flyer☐ Public meeting(s)☐ Other

☐ Letter(s) of support from community organization(s)☐ Community work group, committee, or task force☐ Community/public participation was not sought

e. How did you hear about the services of the Brownfields Program?

f. I hereby request an IDEM Brownfields Program Comfort Letter or Site Status Letter for the above-mentioned site.

Signature of Intended Recipient or Recipient Representative

Date**Return Completed Request Form to:**

Gabriele Hauer

IDEM/OLQ/Brownfields Program

100 N. Senate Ave.

PO Box 6015

Indianapolis, IN 46206-6015

Phone #: (800) 451-6027, ext. 3-2773

or (317) 233-2773

Fax #: (317) 234-0428